

R E M A R K S

Claims 1-6, 9-12 and 14 are now in this application, and are presented for the Examiner's consideration.

This Amendment after Final is being filed with a Request for Continued Examination (RCE).

Request for Three Month Extension of Time

Applicant requests that the period for responding to the Office Action mailed April 13, 2009 and set to expire on July 13, 2009, be extended by THREE (3) months, so as to expire on October 13, 2009. Applicant is a small entity.

Payment is being made with this Amendment.

Please charge any additional fees for this extension of time to Deposit Account No. 07-1524.

Telephone Interview

At the outset, the undersigned would like to thank Examiners Tang and Redman for the courteous telephone interview afforded the undersigned on July 8, 2009.

Election Requirement

Applicant affirms the election of species 1 containing claims 1-3, 6, 7, 9-12 and 14.

Claims 4 and 5 are withdrawn as being direct to non-elected species.

However, it is submitted that claim 1, from which claims 4 and 5 depend, is generic to both species, and it is submitted that, if claim 1 is found to be allowable, claims 4 and 5 should be deemed allowable in the present application as well.

Prior Art Rejections

Claims 1, 6, 7 and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,553,620 to Guillemet et al.

It is noted that the Examiner indicated at page 8 of the Office Action that this application "would seem allowable over the applied art" ... "if applicant can positively define the interconnection fittings directly supporting the spring ribbon (emphasis added)." The Examiner stated at page 8 that this relates to the "dual functionality of the structure of interconnection and to support the coil springs."

In this regard, claim 1 has been amended in accordance with these comments to first recite the plurality of coiled ribbon springs as part of the claimed combination, and more importantly, to recite that at least one of the interengagement fitting and interengagement projections define and provide a support surface on which a respective coiled ribbon spring sits in direct contact

therewith for directly supporting said one of the coiled ribbon springs such that the interengagement fitting and interengagement projections together perform a dual function of connecting together said spring support mounting elements and supporting the respective coiled ribbon spring directly thereon.

In this regard, claim 7 which recites some of these limitations, has been canceled.

The above language is in accordance with the Examiner's suggestion for obtaining allowance, in that the interconnection fittings and projections are now defined as providing a support surface on which a respective coiled ribbon springs sits in direct contact therewith for directly supporting said one of the coiled ribbon springs, thereby reciting the direct support of the coiled ribbon springs, while also reciting the dual functionality, that is, "such that the interengagement fitting and interengagement projections together perform a dual function of connecting together said spring support mounting elements and supporting the respective coiled ribbon spring directly thereon."

Guillemet et al does not disclose the dual functionaility and that at least one of the interengagement fitting and interengagement projection provide a support surface for directly supporting one of the coiled ribbon springs. Specifically, in Guillemet et al, while the support mounting includes a pair of interengagement projections 42 which engage an interengagement

fitting 43 of another support mounting, the actual interengagement fittings and projections 42, 43 do not define any support surface for directly supporting the coil spring, that is, do not define any surface on which the coiled spring sits in direct contact. As clearly shown, items 42 and 43 are not in contact at all with the coil spring, and are not even close to the coil spring. Indeed, in Guillemet et al, as clearly shown in Figure 5 and described at column 4, lines 14 to 17, the coil springs are supported on a spigot (cylindrical wall 38) which is separate and spaced apart from interengagement fittings and projections 42, 43.

Accordingly, since claim 1 has been amended in the manner suggested by the Examiner to result in allowance, it is respectfully submitted that the rejection of claims 1, 6, 7 and 14 under 35 U.S.C. §102(b) has been overcome.

Claim 2 was rejected under 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of U.S. Patent No. 6,584,644 to Braid et al.

The remarks made above in regard to Guillemet et al are incorporated herein, and therefore, not repeated.

However, Braid et al fails to disclose separate spring support mounting elements that are connected together. Rather,

Braid et al provides a single mounting element for all three springs.

Even if combined, the most that would be provided by this combination would be the separate elements 33, 34 of Braid et al in addition to and separate from the elements 42, 43 of Guillemet et al. This is because Guillemet et al provides a separate supporting wall 38 for the coil springs, and in such case, there would only be substitution of the separate supporting elements 33, 34 of Braid et al for the separate cylindrical wall 38 of Guillemet et al. In such case, there would still not be the dual function of the present claimed invention in which at least one of the interengagement fitting and interengagement projections define and provide a support surface on which a respective coiled ribbon springs sits in direct contact therewith for directly supporting one of the coiled ribbon springs such that the interengagement fitting and interengagement projections together perform a dual function of connecting together said spring support mounting elements and supporting the respective coiled ribbon spring directly thereon, as now claimed.

In any event, in the Office Action, as discussed above, it was stated at page 8 that if limitations which define the interconnection fittings directly supporting the spring ribbon along with the dual functionality of the structure of

interconnection and to support the coil springs, were added to claim 1, it would render the claims allowable over the prior art.

Accordingly, it is respectfully submitted that the rejection of claim 2 under 35 U.S.C. §103(a) has been overcome.

Claim 3 was rejected under 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of U.S. Patent No. 5,463,793 to Westfall.

The remarks made above in regard to Guillemet et al are incorporated herein, and are therefore not repeated.

Westfall is similar to Guillemet et al in that the projection 57 and recess 58 formed at the top and bottom of each body part 51 to connect the same together, do not define any support surface on which the coiled spring directly sits. Rather, there is a separate support for the coiled spring. As such, Westfall does not provide the claimed dual function of securing the units together and at the same time, directly supporting the coiled spring so that the coiled spring directly sits on the same connection elements. In other words, Westfall is merely duplicative of Guillemet et al.

Thus, there would still not be the dual function of the present claimed invention in which at least one of the interengagement fitting and interengagement projections define and provide a support surface on which a respective coiled ribbon

springs sits in direct contact therewith for directly supporting one of the coiled ribbon springs such that the interengagement fitting and interengagement projections together perform a dual function of connecting together said spring support mounting elements and supporting the respective coiled ribbon spring directly thereon, as now claimed.

In any event, in view of the comments by the Examiner at page 8 of the Office Action, and since claim 1 has been amended consistent with these comments, it is respectfully submitted that the rejection of claim 3 under 35 U.S.C. §103(a) has also been overcome.

Claims 9-11 were rejected under 35 U.S.C. §103(a) as being obvious from Guillemet et al.

Claim 9 has been amended in a similar manner to claim 1.

Thus, claim 9 has mirrored the language of claim 1, and recites the step of d) defining and providing a support surface by at least one of the interengagement fitting and interengagement projection, and e) seating one of the coiled ribbon springs in direct contact on the support surface defined by said at least one of the interengagement fitting and interengagement projection for directly supporting said one of the coiled ribbon springs on said support surface such that the interengagement fitting and interengagement projections together

perform a dual function of connecting together said spring support mounting elements and supporting the respective coiled ribbon spring directly thereon.

Therefore, the same comments made above in regard to claim 1 apply to claim 9. Thus, the method steps d) and e) are not disclosed or suggested by Guillemet et al.

Specifically, the Examiner indicated at page 8 of the Office Action that this application "would seem allowable over the applied art" ... "if applicant can positively define the interconnection fittings directly supporting the spring ribbon." The Examiner stated at page 8 that this relates to the "dual functionality of the structure of interconnection and to support the coil springs."

Since claim 9 has been amended to recite these limitations, it is submitted that claim 9 is allowable for the same reasons given above as to claim 1.

Further, with regard to claim 9, it is noted that the spring support arrangement of Guillemet et al can not be installed by the specific method specified in the claimed invention. Guillemet et al includes a connector strip 11 as an essential, indispensable feature which interengages all of the modular elements. This is shown in Figure 2 and is required to be fitted to the complete assembly prior to installation below the window jamb (column 4, lines 57 to 59). Indeed, as previously

highlighted, the connection strip 11 can only be fitted to join the support together with the overall mounting assembly assembled outside of the window channel, and can not be fitted once the mounting is fitted into the window channel. Therefore, the arrangement of Guillemet et al cannot be assembled by inserting the individual spring support mountings into the window jamb channel separately, and then interconnecting them as specified in the claimed invention.

Therefore, claim 9 is further distinguished from Guillemet et al by the recitation of steps a) - c) of the separate insertion and assembly of the spring support mounting elements into the window jamb channel. This is distinguished from Guillemet et al which assembles the spring support mounting elements and then inserts the assembly into the window jamb channel.

In such case, Guillemet et al fails to disclose or suggest any of the steps of amended claim 9.

Accordingly, it is respectfully submitted that the rejection of claims 9-11 under 35 U.S.C. §103(a) has been overcome.

Claim 12 was rejected under 35 U.S.C. §103(a) as being obvious from Guillemet et al in view of Braid et al.

The remarks made above in regard to Guillemet et al and Braid et al are incorporated herein, and are therefore not repeated.

Accordingly, for the same reasons given above, it is respectfully submitted that the rejection of claim 12 under 35 U.S.C. §103(a) has been overcome.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

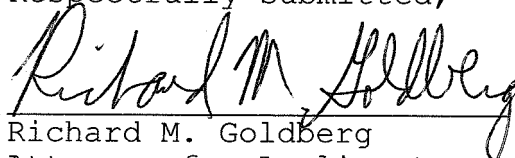
In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 07-1524.

The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1524.

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1-6, 9-12 and 14 are

allowable, and early and favorable consideration thereof is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard M. Goldberg", is written over a horizontal line.

Richard M. Goldberg
Attorney for Applicants
Registration No. 28,215

25 East Salem Street
Suite 419
Hackensack, New Jersey 07601
TEL (201) 343-7775
FAX (201) 488-3884
e-mail: goldbergpat@earthlink.net